

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patentee : Charles A. McBrien, et al.  
Ser. No. : 10/688,062  
Filing Date : October 17, 2003  
For : LIVE-SERVER CONTENT STAGING  
Examiner : Swearingen, Jeffrey R.  
Art Unit : 2179  
Atty. Docket : 58083/374957  
Patent No. : 8,005,925  
Issue Date : August 23, 2011

Date: 10/03/2011

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR RECONSIDERATION OF PATENT TERM INDICATED ON  
PATENT AND NOTIFICATION OF POSSIBLE ERROR IN CALCULATION**

Sir:

The above-referenced patent issued on August 23, 2011 indicating on the face of the patent that the Patent Term Adjustment (PTA) is 2615 days. Patentees, through the undersigned representative, have reviewed the record and have determined that the U.S. Patent and Trademark Office (USPTO) may have made an error in calculating the PTA, such that the correct PTA due may be 2371 days instead of the 2615 days as determined by the USPTO.

Patentees believe that the USPTO did not account for the overlap period beginning on October 17, 2006, the date that is three years after the date on which the application was filed, and June 19, 2007, the date of mailing an action under 35 U.S.C. 132. Patentees were not charged this overlap period of 244 days (see attached Patent Term Adjustment History printed on 09/22/2011).

**CONCLUSION**

Patentees hereby request that the USPTO consider this information in calculating the proper PTA due. Any fees due at this time may be charged to Deposit Account number 11-0855. If there are any matters that can be addressed by telephone, the USPTO is urged to contact the undersigned attorney at 404-815-6500.

Respectfully submitted,



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Attorney Docket No. 58083/394757

Request for Reconsideration of Patent Term  
Indicated on Patent  
U.S. Patent No. 8,005,925

EXHIBIT A

10/08/062	LIVE-SERVER CONTENT STAGING	58080-374957 (M080)	09-22- 2011:08:24:03
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### Patent Term Adjustments

Patent Term Adjustment (PTA) for Application Number: 10/688,062

Filing or 371(c) Date:	10-17-2003	Overlapping Days Between {A and B} or {A and C}:	0
Issue Date of Patent:	08-23-2011	Non-Overlapping USPTO Delays:	2685
A Delays:	914	PTO Manual Adjustments:	0
B Delays:	831	Applicant Delays:	70
C Delays:	940	Total PTA Adjustments:	2615

Patent Term Adjustment History Explanation Of Calculations

Number	Date	Contents Description	PTO (Days)	APPL (Days)	Start
77.5	08-23-2011	PTA 36 Months	831		0.5
77	08-23-2011	Patent Issue Date Used in PTA Calculation			0
76	07-26-2011	Export to Final Data Capture			0
75	07-25-2011	Dispatch to FDC			0
74	06-29-2011	Dispatch to FDC			0
73	05-19-2011	Dispatch to FDC			0
72	05-18-2011	Application Is Considered Ready for Issue			0
71	05-17-2011	Issue Fee Payment Verified			0
70	05-17-2011	Issue Fee Payment Received			0
69	03-01-2011	Finished Initial Data Capture			0
68	02-22-2011	Export to Initial Data Capture			0
65	02-18-2011	Mail Notice of Allowance			0
64	02-15-2011	Issue Revision Completed			0
63	02-15-2011	Document Verification			0
62	02-11-2011	Notice of Allowance Data Verification Completed			0
61	02-11-2011	Allowability Notice			0
58	12-22-2010	Electronic Review			0
57	12-22-2010	Email Notification			0

56	12-22-2010	Mail BPAI Decision on Appeal - Reversed	940	36
55	12-20-2010	BPAI Decision - Examiner Reversed		0
54	07-20-2009	Change in Power of Attorney (May Include Associate POA)		0
53	07-13-2009	Correspondence Address Change		0
51	04-09-2009	Docketing Notice Mailed to Appellant		0
50	04-09-2009	Assignment of Appeal Number		0
48	02-04-2009	Appeal Awaiting BPAI Docketing		0
47	01-28-2009	Appeal ready for BPAI review		0
46	11-14-2008	Exam. Ans. Review Complete		0
45	10-31-2008	Mail Examiner's Answer		0
44	10-27-2008	Examiner's Answer to Appeal Brief		0
43	10-06-2008	Case Docketed to Examiner in GAU		0
42	08-13-2008	Appeal Brief Review Complete		0
41	08-13-2008	Date Forwarded to Examiner		0
40	07-31-2008	Appeal Brief Filed		0
39	07-03-2008	Mail Appeals conf. Proceed to BPAI		0
38	07-01-2008	Pre-Appeals Conference Decision - Proceed to BPAI		0
37	05-27-2008	Request for Pre-Appeal Conference Filed		0
36	05-27-2008	Notice of Appeal Filed	2	31
35	04-11-2008	Mail Advisory Action (PTOL - 303)		0
34	04-09-2008	Advisory Action (PTOL-303)		0
33	03-26-2008	Date Forwarded to Examiner		0
32	03-10-2008	Amendment after Final Rejection		0
31	02-25-2008	Mail Final Rejection (PTOL - 326)		0
30	02-19-2008	Final Rejection		0

29	12-08-2007	Date Forwarded to Examiner		0
28	11-26-2007	Response after Non-Final Action	68	25
27	10-25-2007	Mail Notice of Informal or Non-Responsive Amendment		0
26	09-21-2007	Date Forwarded to Examiner		0
25.1	09-19-2007	Informal or Non-Responsive Amendment after Examiner Action		0
25	09-19-2007	Response after Non-Final Action		0
24	07-30-2007	Case Docketed to Examiner in GAU		0
23	07-26-2007	Case Docketed to Examiner in GAU		0
22	06-19-2007	Mail Non-Final Rejection	914	0.5
21	06-13-2007	Non-Final Rejection		0
20	06-12-2007	Case Docketed to Examiner in GAU		0
19	05-24-2007	Case Docketed to Examiner in GAU		0
18	01-26-2006	Correspondence Address Change		0
17	01-23-2006	Case Docketed to Examiner in GAU		0
16	07-27-2005	Transfer Inquiry to GAU		0
15	01-13-2005	Case Docketed to Examiner in GAU		0
14	11-23-2004	IFW TSS Processing by Tech Center Complete		0
13	11-23-2004	Case Docketed to Examiner in GAU		0
12	03-05-2004	Application Return from OIPE		0
11	03-05-2004	Application Return TO OIPE		0
10	03-04-2004	Application Dispatched from OIPE		0
9	03-05-2004	Application Is Now Complete		0
8	02-17-2004	Payment of additional filing fee/Preexam		0
7	02-17-2004	A statement by one or more inventors satisfying the requirement under 35 USC 115, Oath of the Applicant		0
6	01-21-	Notice Mailed--Application Incomplete--Filing Date		0

	2004	Assigned	
5	10-17-2003	PGPubs nonPub Request	0
4	01-13-2004	Cleared by OIPE CSR	0
3	01-13-2004	CASE CLASSIFIED BY OIPE	0
2	12-07-2003	IFW Scan & PACR Auto Security Review	0
1	10-17-2003	Initial Exam Team nn	0
0.5	10-17-2003	Filing date	0

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